

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MAGDALINA KALINCHEVA,

Plaintiff,

v.

JESSE NEUBARTH,

Defendant.

No. C 13-03294 JSW (SI)
Related Case No. C 13-03212-SI

**ORDER RELATING CASE; ORDER OF
TRANSFER**

On July 15, 2013, *pro se* plaintiff filed an action in this District against defendant Jesse Neubarth, *Kalincheva v. Neubarth*, 13-CV-03294 JSW. Pursuant to Civil Local Rule 3-12(a), the Court hereby determines that this matter is related to *Kalincheva v. Neubarth*, 13-CV-03212 SI.

The Court has reviewed plaintiff's complaint and concludes that the case should be transferred – as was 13-CV-03212 SI – to the Eastern District of California. Plaintiff resides in Stockton, California, and defendant resides in Bakersfield, California. Thus, both parties reside within the venue of the Eastern District of California. No defendant is alleged to reside in, and none of the events or omissions giving rise to the complaint occurred in the Northern District. Venue therefore would be proper in the Eastern District and not in this one. *See* 28 U.S.C. § 1391(b). Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter.¹

IT IS SO ORDERED.

Dated: August 12, 2013



SUSAN ILLSTON
United States District Judge

¹ The Court also defers to the Eastern District to rule on plaintiff's pending application to proceed *in forma pauperis*.